Εὐταξία τοῦ Ἀγροῦ:

OR
A VINDICATION
OF
A Regulated Incloſure.

Wherein is plainly proved, that Incloſure of Commons in general and the Incloſure of *Catthorp* in the County of *Leiceſter* in particular, are both lawful and laudable.

As alſo that thoſe evils which do too uſually accompany Incloſure of Commons, are not the faults of Incloſure, but of ſome Incloſers only.

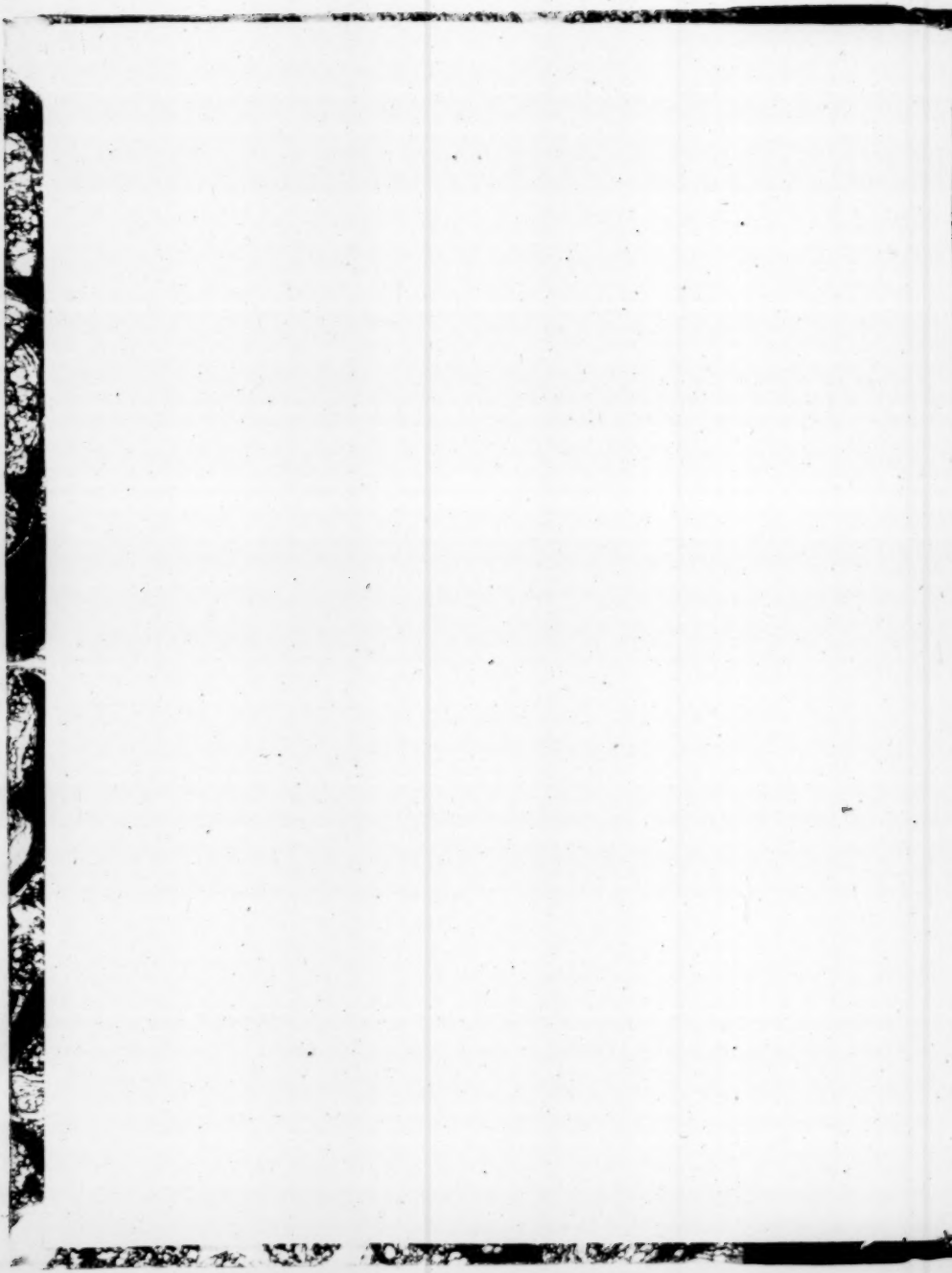
By JOSEPH LEE Miniſter of the Goſpel.

And herein do I exerciſe my ſelf, to have alwaies a conſcience void of offence toward God and toward man, Act. 24. 16.

But ſanctifie the Lord God in your heart, and be ready alwaies to give an anſwer to every man that asketh you a reaſon of the hope that is in you with meekneſſe and fear; Having a good conſcience, that whereas they ſpeak evil of you, as of evil doers, they may be aſhamed that falſly accuſe your good converſation in Chriſt, 1 Pet. 3. 15, 16.

Si ſufficiat accuſare, quis innocens erit?
Allegatio ſine probatione calumnia.

London, Printed by E.C. and are to be ſold by *Thomas Williams* at the Bible in *Little-Britain*, 1656.



The Epiſtle to the Reader.

Chriſtian and courteous Reader,

IT may be thou mayeſt wonder, that I a Miniſter of the Goſpel ſhould meddle with a buſineſſe of this nature: The truth is, I wonder more at my ſelf, being very conſcious of my little experience in the things of this world: This ſubject is not pleaſing unto me, but neceſſity commands, and I obey. I have been charged to act againſt conſcience in giving my conſent to this Incloſure, I have been challenged to preach in publick, what I have privately profeſſed to be my judgement; but judge it not convenient to anſwer this challenge, for theſe Reaſons.

1. When I come into the pulpit, I come upon my Maſters buſineſſe, not my own.

2. I am very ſenſible that if our pulpits had ſounded more of the things of Chriſt, and leſſe of the things of the world, it had been better with us then it is this day.

3. What falleth from the mouth is oft perverted, miſconſtrued and falſly reported, but *litera ſcripta manet*, what I write thou maiſt judge of; I chooſe therefore this way, to let thee know that I have not ſinned againſt conſcience, I have done nothing in this buſineſſe conſcience doubting, much leſſe oppoſing, and I hope not erring. Συνείδησις, conſcience, is a double knowledge, and hath a double aſpect, it looks backward and forward; backwards upon Gods will revealed, forwards upon our own actions performed; I bleſſe God I have compared both theſe, and examined this buſineſſe in that higheſt Court on earth, and I finde my ſelf cleared in that the Judge doth not condemn the fact. True I know I have ſinned in this action, as I have in all my beſt duties and moſt fervent prayers; if the Lord ſhould be extreme to mark what I have done amiſſe in my holy things, I am not able to anſwer him one word for a thouſand ſins; but as to the action it ſelf, I finde Gods waies and my will to meet, and no contradiction between Gods precepts and my actions; God having no where prohibited, what I have herein practiſed; 1 Joh. 3 21. ſeeing therefore my heart condemns me not, I have confidence towards God, and conſequently ſolid conſolation, againſt all the uncharitable ſurmiſes, opprobrious imputations and falſe accuſations of men: I paſſe very little to be judged by thee or mans judgement, he that judgeth is the Lord: yea although ſome of Gods own ſhould have hard and harſh thoughts of me, yet God will not condemn me:

Con-

Conſcience is Gods Court of Chancery, and that relief I meet with in that high Court of equity, is to me a continual feaſt; God I am ſure will not condemn, whom a good conſcience rightly informed doth acquit: I ſay rightly informed, perhaps ſome will ſay, that is *petitio principii*, a taking that for granted, which is not proved. Truly I have neglected no means of information, conſidering as well what was ſaid againſt it, as what was ſaid for it: neither did I do it ſuddenly, but upon mature deliberation, and upon reſult, I am now very confident, that the lawfulneſſe and laudability of the incloſure by us practiſed, is in theſe papers fully confirmed; but I may not be Judge in mine own cauſe, I leave them therefore to thy candid cenſure: Firſt I pray conſider what I have ſaid, and then judge without prejudice and partiality: and the Lord give thee, and me alſo, underſtanding in this, and in all things, which is the earneſt prayer of Prov. 15. 15.

Cotesbatch,
Nov. 12.

Thy friend, *Joſeph Lee.*

——*Si quid noviſti rectius iſtis,*
Candidus imperti; ſi non, his utere mecum.

If ought thou knoweſt better to be,
Impart it; elſe uſe theſe with me.

A VINDICATION OF A Regulated Incloſure.

TRuth is the daughter of Time, and Time the diſcovery of Truth: all is not gold that gliſtereth, nor all truth that ſeems ſo; Truth it ſelf may be ſometimes clouded and unknown to many lovers of it; a glazed piece may paſſe a while for currant coyn, when good money a little blurred is refuſed, but time and truth will bring it to the touchſtone: a gilded error may ſeem a glorious truth, but time and truth will manifeſt it to be at beſt a flouriſhing falſhood. A pretended error is ſometimes truth concealed; unmask it, and it proveth truth revealed. All things are not ſinfull which are ſo eſteemed; as there are ſins reall, ſo there are ſins imaginary; as there are ſins of Gods making which his Law hath forbidden, ſo there are ſins of the Devils making: the god of this world hath ſo blinded the eyes of the Idolater, that he judgeth it to be his ſin not to bow to an Idol; and the Heretick, that he judgeth it to be his ſin not to oppoſe the Goſpel. And there are ſins alſo of mens making, which mans brain doth fancy to be ſins.

ſins, although God hath not prohibited them: beleeve it Chriſtians, if we be truly ſenſible of thoſe great and God-provoking crimes, and daly deviations from the will of God, which we ruſh upon as the horſe ruſheth into the battel; we have little need to adde unto our burden, by charging our ſelves with ſins which God hath not made ſins, and imputing ſins to our ſelves which God doth not impute unto us: that God which hath condemned wil-worſhip and ſelf-deviſed ſervice, *who hath required this at your hands?* Iſa. 1. 12. doth not approve that we ſhould condemn our ſelves for ſelf-deviſed ſins. It hath paſſed for an undeniable maxime amongſt ſome, that all incloſure of Commons is ſinful; but time and truth hath now diſcovered, that incloſure in it ſelf is no way vitious, but neceſſary at leaſt for the well being of the Common-wealth. The proof of this is the task I have undertaken, *viz.* That ſome Incloſure cannot juſtly be charged with ſin: if you call for example for the better aſſurance, I preſent you here with one, wherein I am moſt concerned, *viz.* the intended Incloſure of *Catthorp* in the County of *Leiceſter:* That which I have to ſay herein, I ſhall reduce to two heads, *viz.* That the Incloſure of *Catthorp* is,

1. Lawfull.
2. Laudable.

And conſequently not ſinfull.

1. That the Incloſure of *Catthorp* is lawful, appeareth becauſe it doth no injury to any: that it doth no injury appeareth, becauſe it is profitable to all concerned therein: Now there are four ſorts of men beſides our ſelves to be conſidered, 1. The Miniſter. 2. The Poor. 3. The Cottages. 4. The Tenants.

That it is profitable to our ſelves, I think few will deny; elſe what mean thoſe outcries againſt us, that filthy lucre is our end; or if it be not, *volenti non fit injuria,* we are willing to ſuffer that wrong.

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That it is profitable to all others concerned as well as our ſelves, appeareth by conſidering them apart.

1. It is profitable to the Miniſter; becauſe his living, never worth above 60 *l. per annum*, and ſometimes in bad years but 40. or 50 *l.* will be made worth 80 *l. per annum*, we having covenanted conſtantly to pay unto him and his ſucceſſors for ever, in lieu of his tithes about 54 *l. per annum*, the Glebe at 15 *s.* by the acre will make up the reſt; beſides he himſelf hath conſented to it, and therefore it probable would not injure himſelf.

2. The poor, now having no part of the Fields nor Commons belonging to their houſes, will hereby gain 14. acres of Land, which we have freely given unto them to be ſetled upon Feoffees in truſt for the uſe of the poor of *Catthorp* for ever, by the ſame Law that our own Lands are ſetled upon our ſelves, ſo that none can ever deprive them of it.

3. It will be advantagious to the Cottagers whoſe Commons being now worth *communibus annis*, but 8. or 9 *s. per annum*, will be made worth 35 *s. per annum* at the leaſt.

4. The advantage of the Tenants I confeſſe will be according to the dealing of the Landlord with them; That we will not deal kindly with them, none have reaſon to prejudge; or if any of us ſhould rack our Rents in incloſure, it is not the fault of the incloſure, but the incloſers, and that not as incloſers, but as unmercifull Landlords: have we not the ſame power to do the like in common fields, if the Lord do not give us more merciful hearts? I hope we ſhall ſtop the mouthes of all gainſayers in this particular. Sure I am they will be great gainers, although they ſhould pay a double Rent, if that be true, which the Petitioners to the Parliament againſt Incloſure did affirm, *viz.* That men by Incloſure do make a treble advantage of their Lands, abſurdly alledging that as an argument againſt it, which in ſound judgement is a good argument for it.

Object. *The allowance to the Poor will not be ſufficient for their maintenance.*

Anſw. We are bound by the Law to provide for the impotent poor (if this be not ſufficient) as much as in common fields, the Law injoyns us to provide for their being, this we adde in charity for their better being; except the ancient Cottages which have land laid out in lieu of their Commons, there are only four erected Cottages in the Town, and for preſent there are not above twelve perſons, men, women and children, that do, or at leaſt can pretend to poverty: the 14. Acres given to the poor, will be worth in time 14 *l. per annum*, which will amount to five pence by the week to every poor inhabitant, which will be a good help to them: ſure I am, young people are very eager to marry into our Town, being incouraged by that large proviſion we have made for the poor.

Object. *It will wrong the Poor, becauſe they will want work when the Town is Incloſed.*

Anſw. Except two or three old men, who are unable to work, whoſe ſons are Tradeſmen, as alſo the reſt of the Cottages, there are only three day-labourers in the Town; Is it probable that the cutting of hedges, threſhing of corn, and keeping of grounds as ſhepherds, ſhould not finde them as much work as they had before? *Credat Judæus Apella, non ego.*

Anſw. 2. Many poor are maintained in working about Wool and Cloth in this Nation, eſpecially in thoſe parts which are generally incloſed, and theſe kept in conſtant work; whereas in the common fields divers poor men in the winter have not three daies work in the week to maintain their family: I have heard a godly man an experimentall Clothier affirm, that if there was an effectual courſe taken, that no Wool might be tranſported beyond ſea, no poor man or woman in *England*, that is willing to work, could lack work.

Anſw. 3. Have not the Lawes of the Land ſufficiently pro-

provided, that none ſhall want work? if any in *Catthorp* ſhould want work, may they not be relieved upon their own complaint to the next Juſtice of Peace? To what end were the Laws made if not to be executed?

Object. *It will depopulate, Incloſure being uſually attended with plucking down of houſes, and deſtroying of Towns.*

Anſw. As there are many depopulations in Incloſure, ſo there are many Incloſures without depopulation, as in particular, *Market Boſworth, Coten, Carlton, Shenton,* all in one pariſh: *Nelſon, Cadsby, Upton, Bilſon, Stapleton, Twicroſs, Barton, Higham, Stoke, Golding,* which Towns are all near together: the like may be ſaid of *Little Glenn, Croft, Aſhby Magna, Coſford, Woſcot,* and divers others; in which places although they have been incloſed ſome twenty, ſome thirty, ſome forty, or fifty years; there is neither depopulation nor decay of houſes: if ſome Incloſers depopulate, theſe things are *vitia perſonarum non rei,* the faults of the perſons, not the thing; the offences of ſome Incloſers, not incloſure. Are depopulation and incloſure inſeparable companions? no, this a meer *non ſequitur,* it followeth not: as if a man ſhould ſay, becauſe many are drunk in an Inne, therefore there ought to be no Inne to entertain travellers: And this I am the more confirmed in, becauſe they that preach and write and talk moſt againſt Incloſure, bring not an argument againſt Incloſure as incloſure, but againſt depopulating incloſures, ſuch and ſuch incloſures, which to me is an evidence that they are convinced in their conſciences, that ſome Incloſures are lawful.

Anſw. 2. When Incloſure doth produce depopulation, it is only in ſuch Towns as are in the hands of one or few men, and not in ſuch Towns where there are ſeverall freeholders of ſmall Tenements, as it is with us at *Catthorp*; our whole continent being but about five hundred and eighty acres, is now in the hands of eight Free-holders, and five or ſix ancient Cottages, who are alſo Free-holders.

Anſw. 3. We have covenanted ſo far as we can by Law to uphold all our ancient Tenements and Cottages to be continued habitations, and a competent quantity of Land to be uſed with each of them.

Reply. *But Covenants will not binde poſterity, they may depopulate, although you do not.*

Anſw. We have done our utmoſt to binde poſterity and ſucceſſors; if our acts will not binde them, the defect is not in us, but in the Lawes of the Land.

Anſw. 2. If after ages ſhould depopulate, the fault is not ours, who have declared our diſlike of it and done our utmoſt to prevent it, but theirs who ſhall be the actors in ſuch devaſtations, it being already clearly demonſtrated, that depopulation doth not neceſſarily follow incloſure.

Anſw. 3. After ages might deſtroy their habitations in Common-fields, although it had not been incloſed, and this all will grant would not be our fault. Mr. *Caldecot* (who is only in a capacity to depopulate, becauſe he alone hath more Tenements than one) if he was of that minde, might pluck down his two Tenements, which he now ſetteth to Tenants, and lay his Land to his own houſe and plow it himſelf with two good Teams as it lyeth in Common: ſo that he might depopulate although he ſhould not incloſe: our Incloſure then will prevent depopulation, at leaſt for this time rather then occaſion it.

Anſw. 4. It was well obſerved by the Author of the Anſwer to Mr. *Moores* Sermon, that ſuch depopulations as accompany Incloſure are uſually made at firſt, and not in ſucceeding generations: I know a Town which was depopulated upon the firſt incloſure about fifty years ſince; but ſince the firſt depopulation, not one houſe decayed, but divers houſes increaſed.

Object. *You will keep fewer ſervants, and ſo depopulate.*

Anſw. As many maid-ſervants will be employed as before, there are but about ten men-ſervants and ſhepherds employed by all the Farmers and Husbandmen in the Town,

Town as it lyeth in Commons, and there will be ſix or ſeven kept in Incloſure. It's confeſſed, that it's probable three or four ſhepherd-boyes will be neceſſitated to lay aſide that idle imployment: which in very many places proves deſtructive, ſpecially to the ſouls of thoſe Lads; in that, poor creatures, they are brought up by this means, without either civill or religious education, when on the work-daies they ſhould be at ſchool, and on the Lords day at Church, to learn the waies of God, they are playing at nine holes under a buſh, in the interim their cattell make a prey on their neighbors corn, and they themſelves are made a prey to Satan, being ſo rooted and riveted into ſin being young, that many times they live and die in a total ignorance of God and Goſpel: now if upon the Incloſure ſuch boyes as theſe, be ſet to trades and ſuch like imployments, wherein they may more conveniently frequent Gods Ordinances, and come to the ſaving knowledge of Chriſt, will any call this depopulation?

Anſw. 2. Let it be granted that our land and buſineſſe lying nearer together fewer ſervants will be kept; are any bound to keep more ſervants then are needful for their buſineſſe; or may they not caſt how to do the ſame buſineſſe with leaſt labour: *Fruſtra fit per plura quod fieri poteſt per pauciora,* In vain that is done by more, which may be done by leſſe: Is a man bound to keep ſervants to pill ſtrawes or labour in vain? by what Law? if this principle be good, that all are bound ſo to carry on their affairs in the world, as to imploy ſervants, although to their own diſadvantage; I dare ſay, the much applauded plough muſt be caſt into the ditch, and much admired manufacture of tillage muſt be exchanged for digging with ſpades and mattocks, which would imploy more men than tillage.

Reply. *To that maxime, In vain &c. an ingenuous friend in diſcourſe returned this reply, that it holds in naturals, not in politicks.*

Anſw. 1. I confeſſe it may be good policy in ſuch Common-weals, where are ſuch a multitude of people, that they cannot otherwiſe be imployed, to keep them in work, about that which is of little profit, rather then they ſhould be idle. But bleſſed be God, our people may be imployed in the working of wooll, flax, hemp, woad, and other commodities, which are very beneficial to the Common-wealth, and therefore they need not labour in vain.

Anſw. 2. There is with us rather a ſcarcity than a ſuperfluity of ſervants, their wages being advanced to ſuch an extraordinary height, that they are like ere long to be maſters, and their maſters ſervants, many poor husbandmen being forced to pay near as much to their ſervants for wages as to their Landlords for Rent.

Object. It *will decay tillage.*

Anſw. 1. This is indeed the moſt probable argument againſt Incloſure, and that which I confeſſe hath put formerly ſome ſcruple upon my ſelf, till I was fully convinced by experience that it hath no weight in it, if conſidered in the ballance of judgement: look upon all the Incloſures within three miles round about *Catthorp, Bigging, Browns-Over, Coten, Cosford, Shawell, Hall field, Street-field, Siſter, Over, Moore-barn, Coteſbatch, Cotes, Pultney, Miſterton, Starmer,* and the moſt of theſe Incloſures have been plowed within thirty years, and the reſt are now about to be plowed; and what great quantity of corn hath been gained in them, no man in the Countrey that hath obſerved them can be ignorant, ſome or other of theſe being never without great ſtore of corn.

Anſw. 2. What is it that makes corn ſo cheap as it is this day, but the breaking up of old Incloſures. I deny not but the Lord of his mercy hath crowned the earth with more then ordinary plenty in the common fields, but this alone could not make corn ſo cheap as it hath been theſe late years: that the plenty of corn makes it cheap, I think it is undeniable, and then it will follow, that there

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is a double quantity of corn now in the land, compared with that which hath been formerly; becauſe the price of corn hath been commonly double, and ſometimes treble: but few common fields have now a double quantity of corn to that which they have had formerly. I have conferred with divers Miniſters, which receive Tithes in kind, who do affirm the premiſes upon their certain knowledge to be true, and then it will follow, that the late plenty and double quantity of corn is got in new broken up incloſed grounds, whereof there are now very many in all places.

Anſw. 3. By what Law of God or man is every man bound to plow his land at all times, whether there be need of corn or no, although he can make more advantage to himſelf by paſture? May not every one lawfully put his commodity to the beſt advantage, provided he do it without prejudice to others? do not all tradeſmen caſt to lay out their money upon ſuch wares, as will be moſt advantagious to themſelves? Have not Land-holders as much reaſon, and may they not with as good conſcience put their lands to the beſt advantage? but many will lay heavie burdens upon others which themſelves will not touch with one of their fingers.

Anſw. 4. Whenſoever there is the leaſt want of corn, and mens Land is fit to bear corn, men will plow up their incloſed land for their own profit; it's an undeniable maxime, That every one by the light of nature and reaſon will do that which makes for his greateſt advantage, but whenſoever corn beareth a conſiderable rate, *viz.* wheat four or five ſhillings, and barly two ſhillings ſix pence, men may make more profit, by plowing then paſture; and conſequently will plow for their own advantage: why elſe do men uſually give 40 *s.* an acre for tillage, when no man can afford to give above 20 *s.* for the grazing of the ſame land?

Anſw. 5. Let it be granted, as it is not proved, that it is a duty incumbent upon all Land-holders at all times to keep

keep part of their land in tillage: this equally bindes all, as well in old as new Incloſures and common fields. I wiſh that thoſe that ſo zealouſly impoſe this law upon others would firſt practiſe it themſelves: ſuppoſe *A. B.* having 50 acres in *C.* is bound to plough ſuch a quantity of it: the *C. D.* having land in *B.* is bound by the ſame law to plow as many acres proportionate to his land.

Anſ. 6. If judicious men ſhall find experimentally, that the Common-wealth will ſuffer for want of corn, if every man be left at liberty to plow or not to plow, why may it not be inacted by a law, that every Land-holder, as well in incloſures as common fields ſhall be forced to plow ſuch a quantity of land as ſhall be thought convenient: this I am ſure, would be more equal, then that all the toyle of tillage ſhould be laid upon the common fields, (till their lands by continual plowing of more land then they are able to manure, are worn quite out of heart and made unfit for any thing as it is in many places) and in the interim the Incloſures go free.

Object. Prov. 11. 26. *He that withholdeth corn, the people will curſe him (or * ſmite him through) but bleſſing ſhall be upon the head of him that ſelleth it.*

* Hebr.

Anſw. Two things in this Scripture to be conſidered, 1. What to withhold corn. 2. What to curſe.

1. To withhold corn, is through a baſe avarice and greedineſſe of gain, to hoard corn by thruſting it up into the barns and garners, and refuſing to ſell it to the poor in times of greateſt want, ſtill expecting that it will be dearer; withholding is then oppoſed to ſelling, and concerneth not thoſe that have none to ſell in hard times, this being a miſery rather then a ſin: neither is withholding corn a ſin at all times, but only in times of ſcarcity, in times of plenty it is rather a vertue, there being no better friends to the Common-wealth, then ſuch who having ability and conveniency, do in times of plenty reſerve their corn for future times of poverty: Had not *Joſephs* prudence provided granaries in the ſeven precedent

dent years of fulneſſe, to ſupply the ſeven ſubſequent years of famine, all *Egypt* had periſhed, Gen. 41. yea all Iſrael, Gen. 42. 1, 2. Hence it is provided by the ſtatute Lawes of this land, that corn may be ingroſſed and kept in granaries when it is of ſmall price, *Anno. Edw. 6. ſtat.* 14. *Anno* 13. *Elizab. ſtat.* 25.

2. To Curſe, is to wiſh evill from God to our neighbour: this is a thing utterly unlawful, God having commanded us to bleſſe, and prohibited curſing, Rom. 12. 14, 15. Hereby men would make God an executioner to their baſe luſts: God muſt come down from heaven in all haſt to revenge their quarrels, and ſerve their malicious humours. True, we read in ſacred writ, of ſome of Gods ſervants which have curſed Gods enemies, Pſa. 69. 22, &c. 2 Kin. 2. 24. but theſe were not paſſionate maledictions, but Prophetical predictions of Gods judgement, not ſo much in their own cauſe as Gods cauſe, incited by God, not their own luſts; and againſt ſuch only whom they know to be Gods implacable enemies, Pſal. 109. 15, 17. compared; and therefore, although not to be rejected, yet not to be imitated: This Scripture therefore is no encouragement to the people to curſe even thoſe that do ſinfully withhold corn, but is rather an aggravation of the ſin of ſuch withholders, in that they do irritate and provoke the people to ſin againſt God by curſing them. Whether God will ſecond the ſinful curſes of men, although they curſe ſuch as are ſinful, is a queſtion to be conſidered: yet I acknowledge it is the juſt reward of thoſe that walk irregularly, to be paid in their own coyn, and irregularly puniſhed by the reproaches, execrations, and deteſtations of the multitude, Prov. 24. 24. I ſay juſt from the hand of God, although ſinful in man: but what makes this againſt us? you will ſay it holds in analogy, againſt ſuch as withhold their lands from plowing.

Reply, 1. *But what makes this againſt Incloſure as Incloſure, ſeeing many incloſures abound with corn.*

Reply, 2. It is granted that ſuch as having land fit to plow in time of want, do withhold their lands from plowing, are equally guilty, as thoſe that withhold their corn from ſelling, eſpecially if they doit upon that covetous conſideration that corn will be dearer, when it is extraordinary dear already: If any Incloſers do ſo, let them anſwer for themſelves; but as withholding of corn is not unlawful at all times, but expedient at ſome times, as in *Joſephs* caſe, ſo if ſome men in times of plenty do reſerve their land for times of penury, that they may then plow, ſuch are not only provident husbands for themſelves, but profitable members of the republick. That we in *Catthorp* will not plow when the Commonwealth hath need of Corn, none have reaſon to prejudge: if therefore any be ſo wicked and malicious (as I fear and hear ſome there be) to curſe us without cauſe, I hope we ſhall not render railing for railing, but ſhall,

1. Pray for them in our Saviours words, (Oh that we could do it with our Saviours Spirit!) *Father forgive them, for they know not what they do*, Luk. 23. 34.

2. Pray for our ſelves, *that we may be delivered from unreaſonable men*, 2 Theſſ. 3. 2.

3. Comfort our ſelves in that promiſe of God, that *the curſe cauſleſſe ſhall not come*, Prov. 26. 2.

But let thoſe bitter bloudy ſpirits, and cruel curſers look to it themſelves, curſes being like arrowes ſhot upward, that fall upon mens own heads; *they that do* Balaams *work, may expect to receive* Balaams *wages.*

Object. *There are many excellent promiſes made to tillage above other callings*, Prov. 28. 19. *He that tilleth his land ſhall have plenty of bread.* Prov. 12. 11. *He that tilleth his land ſhall be ſatisfied with bread.*

Anſw. Theſe promiſes are made to diligence in that calling, not to tillage as tillage; it's not the minde of *Solomon*, ſo to omnifie tillage as to vilifie diligence in other callings, theſe promiſes are in the proportion of faith incouragements to diligence in other callings; as appeareth by

by what followeth, Prov. 28. 19. *He that followeth the idle ſhall be filled with poverty.* And Prov. 12. 11. *He that followeth the idle, is deſtitute of underſtanding.* Whatſoever are mens ſtations or vocations, God rewardeth the diligent, Prov. 10. 4. *The hand of the diligent maketh rich, but the ſlothful hand maketh poor.* Prov. 13. 14. *The ſluggard luſteth but his ſoul hath nought, but the ſoul of the diligent ſhall be made fat.* As ſlothfulneſſe in all callings doth clothe men with rags, Prov. 23. 21. So the ſlothful plowman ſhall want bread, Prov. 20. 4. *The ſlothfull will not plow becauſe of the winter, and therefore he ſhall beg in the ſummer and have nothing.* If a ſhepherd be laborious in his calling, God will reward him as well as the painful plowman: the ſacrifice of *Abel* a keeper of ſheep was accepted, when the ſacrifice of *Cain*, a tiller of the earth, was rejected. *Jacob* was faithfull in keeping *Labans* ſheep, and God rewarded him, Gen. 30. 42. 43. Yea *Jacob* brought up his children in that calling, Gen. 37. 2. A keeper of ſheep was an abomination to the Egyptians, Gen. 46. 34. but the trade of the Iſraelites.

Object. *Wo be to them which joyn houſe to houſe, and field to field, till there be no place, that they may be placed alone in the midſt of the earth*, Iſa. 5. 8.

Anſw. The Prophet reproveth the blinde ambition, and inſatiable avarice of thoſe that are not contented with their own large poſſeſſions, but *per fas aut nefas, vi & fraude*, by right or wrong, force and fraud, without conſideration of their poor neighbour, do graſp all into their own fiſts; neither, as *Calvin* notes upon the place, is the joyning of houſe to houſe and field to field ſimply condemned, but the greedy deſire of it: a man whoſe family increaſeth, if the next houſe be empty, may joyn it to his own; and a man whoſe ſtock of cattell increaſeth, if the owner and poſſeſſor will willingly part with the next field, may lawfully joyn it to his own: but that which is juſtly condemned is ſuch a joyning houſe to houſe and

Nec enim per ſe damnari poteſt ſi quis agrum agro & domum domui conjungat, ſed animum reſpexit propheta, qui ſatiari nullo modo poteſt, ubi ſemel habendi cupiditate accenditur, Calv. in Loc.

field to field, which is joyned with oppreſſion and injury to others; till there be no place which is not their own, and none left to their poor neighbour; nothing contenteth, but that they alone poſſeſſe the earth: this being the true meaning of the place, I grant that this taxeth thoſe cruel incloſers and caterpillars of the Common-wealth, as reverend Mr. *Dod* calleth them, which ſet themſelves to unpeople the Land, by deſtroying Towns, and turning out the poor: Let them anſwer for themſelves, God will call ſuch to an account: For my part I am ſo far from approving or practiſing ſuch ſinfull Incloſure, that I heartily wiſh that all the owners of ſuch incloſures might be forced by a law, to repeople ſuch places, rebuild their houſes, and none might be ſuffered to rent ſuch Land, but ſuch as inhabit thoſe decayed Towns; but this is the fault of the Incloſers, not the Incloſure, *vitium perſonæ non rei.* What makes this againſt incloſure in general, or the Incloſure of *Catthorp* in particular? whoſe houſes have we deſtroyed? whoſe Land have we invaded? every man ſhall enjoy the ſame quantity o land, which he did before; we have not taken away our neighbours land by force or fraud, but have by a general conſent of the Land-holders, exchanged one acre of Land for another, for our conveniency: we have not taken away the Lands of the poor and laid them to our own, but have leſſened our own Lands, and given part of them to the poor for ever.

Object. *But God hath purſued Incloſure with his ſevere judgements upon the Incloſers and their poſterity: we may read their doom wrote in text letters, and legible characters of miſery, in that the Incloſers do ſeldome keep their Lands three generations: and here again is alledged,* Iſa. 5. 8, 9. *This is in mine ears, ſaith the Lord of hoſts, ſurely many houſes ſhall be deſolate, even great and fair, without inhabitant.*

Anſw. 1. That cannot be looked upon as a judgement againſt Incloſers, which is common to other Land-holders which never did incloſe: few in common fields do keep their

their Lands three generations, take *Catthorp* it ſelf for inſtance: Mr. *Caldecotts* Land within the memory of ſome living, was ſold by Mr. *Leigh* to Mr. *Britton*, and by Mr. *Britton* to Mr. *Calldecot*: Mr. *Wildes* Land within the ſame time hath been ſold by Mr. *Feilden* to Mr. *Elkinton*, whoſe heirs ſold it to Mr. *Wilde*: my own Land within 40 or 50 years, hath been ſold by *Pywell* to *Stanton*, by *Stanton* to *Joſeph Smyth*, whoſe Son in law ſold it to my Father. *Thomas Bronnes* Land within a little more then twenty years, hath been ſold by *Charles Kilpacke* to *James Staples*, who ſold it to *Henry Be* father of the foreſaid *Thomas*. *William Ernesby's* Land was ſold by Mr. *Feilding* to Mr. *Elkinton*, whoſe Heir ſold it to *Thomas Wood*, father in law to the ſaid *William*. Only *Edward Smiths* Land hath continued in that family three generations.

Anſw. 2. Sometimes incloſers keep their Land many generations, *Cotes*, *Myſterton*, and *Pultney*, have been in the hands of the *Pultneys*, and *Starmar* in the hands of the *Caves* many hundred year, two preſidents that cannot be paralleld in the common fields.

Anſw. 3. Concerning thoſe mentioned by the Prophet *Iſaiah*, whoſe avarice and ambition is content with no mediocrity (who are like to *Alexander* the Great, who hearing the Philoſopher diſputing that there was many worlds, is ſaid to weep becauſe he had not conquered one) I ſay when men let looſe the reins to ſuch unruly luſts, being never ſatisfied till their covetous hands have taken hold on other mens portions, God juſtly may, and many times doth blaſt their bleſſings, and curſe their mercies, Mal. 2. 2. plague their poſterity and leave their houſes without inhabitants: but what is this againſt our Incloſure? that doth only improve our own mercies to the beſt advantage to our ſelves and the Common-wealth, without the leaſt injury to others: I bleſſe God we are not partakers of ſuch mens ſins, and therefore hope we ſhall not be partners of their plagues.

Object. Prov. 22. 28. *Remove not the ancient Land-mark which thy fathers have ſet, from whence ſome infer, that it is not lawful to exchange our fathers Lands for other Land.*

Anſw. The removing the Land-mark there prohibited, is when men by force or fraud remove the Land-mark of their poor neighbours whoſe Land is adjacent, and ſo take hold on part of their Land as their own, without conſent, or giving any other Land in exchange; a ſinful practiſe, too common in the common fields, where men make nothing to pull up their neighbours Land-mark to plow up their Land, and mow their Graſſe that lyeth next them: This is the intent of the Holy Ghoſt, if we will give God leave to be his own interpreter. Prov. 23. 20. *Remove not the old Land-mark, and enter not into the field of the fatherleſſe.* So Deut. 19. 14. *Thou ſhalt not remove thy neighbours Land-mark which they of old time have ſet.* This ſin brings a curſe upon the actors and authors of it, Deut. 27. 17. But this maketh nothing againſt a mutuall agreement to exchange one Land for another, whereby both parties are advanced and neither injured; this being a ſetting of Land-marks, not a removing them: we do not remove Land-marks to oppreſſe one another, but ſet Land-marks to keep each other from oppreſſion: we doubt not but our Incloſure will prevent many ſuch oppreſſions expreſſed in the premiſſes.

Object. *Incloſure deſtroyeth horſes which ſhould ſerve the State in War.*

Anſw. Few horſes kept in common fields fit for ſervice, one well kept will be more ſerviceable to the State then three that are jaded and tyred: beſides, moneys are the ſinews of war, if that be not wanting, the State cannot want either horſes or men: but the ſum of money that is payed in all taxes out of Incloſures is double to that which is payed out of the common fields of the ſame quantity.

Object. *All have n^o^t conſented, one that hath ſeven ſheeps Commons doth withſtand it, may you lawfully force him to part with his*

his right of Common and accept of your allowance in ſtead thereof againſt his will? may you make a hedge in the Common without his conſent? doth not the Prophet Micah *pronounce a woe againſt ſuch dealing as this?* Mic. 2. 2. Woe unto them that covet fields and take them by violence, and houſes and take them away, ſo they oppreſſe a man in his houſe, a man in his heritage: *what although you allow him a proportion of land of more value then his Commons are worth? Is not this* Naboths *caſe, do ye not act* Ahabs *part to the life?* 1 King 21. 2. Ahab *offered money, or a better vineyard, yet* Naboth *refuſing,* Ahab *is condemned.*

Anſw. 1. We do not force him to part with his right, he hath no land which he can mark for his own only right of Common: and we have right of Common as well as he: we do only divide our Common from his, and leave him a large proportion, himſelf and friends have confeſſed that it will be no perſonal wrong to him, the Land allotted him being four times as good as his Commons. We do not oppreſſe him in his heritage: I think if that woe pronounced by *Micah* was well conſidered, it might rather be retorted in that he doth threaten by violence to pluck down our hedges, and force us to lay aſide the improvement of our heritages, when our doing of it is confeſſed to be no wrong to him, and proved no injury to others.

Anſw. 2. The caſe of *Naboths* Vineyard is far different from ours, it was unlawful for *Naboth* to exchange his vineyard with *Ahab* although for a better, becauſe God had prohibited the Iſraelites to ſell their Land from their own Tribe: the reaſon rendred, Levit. 25. 23. *Becauſe it was Gods*: in caſe of poverty it might be morgaged, but not ſold, the next kinſman muſt redeem it, verſ. 25. and although it was never redeemed, yet in the year of Jubile it muſt be reſtored, verſ. 26. Therefore the daughters of *Zelophehad* muſt marry to husbands of their own tribe, becauſe the inheritance of the children of Iſrael might not remove from tribe to tribe: *Naboth* was not

of

of the ſame tribe with *Ahab:* had *Naboth* denied *Ahab* ſuch a ſmall courteſie only upon his own will, he had been a very unkinde ſubject; but his denial was grounded upon Gods will: beſides, we deſire nothing to be exchanged with him, but our own to be divided from his.

Anſw. 3. If he refuſe to have his part of the Common ſeparated from ours, and reſolve to put himſelf to that trouble and charge, he may ſtill intercommon amongſt us, and put his ſeven ſheep in any place, where he had right of Common before: our diviſion of our own Common from each other, will be no impediment to him to uſe his Commons as before the Incloſure, the Land allotted to him, will fully content any of us whoſe Land he ſhall make choiſe of.

Anſw. 4. In that it's ſaid we make our hedges upon his Common, we have three hundred parts for his one, and conſequently ſet hedges upon our own part of the Common, not upon his. Surely there will be graſſe enough for ſeven ſheep notwithſtanding the hedges in ſome of our grounds.

Object. *You have taken away the Church Land, and given it to the poor.*

Anſw. We acknowledge that thoſe ſmall parcels of Land called Church-hadland and Church-layes (which were ſet apart by common conſent, not any particular mans donation, for repair of the Church, or whatſoever other publick uſe the Town appoints) are part of that Land given to the poor; they being our own, why may not we diſpoſe of them to what publique uſe we pleaſe? they were never worth above 20 *s. per annum, communibus annis*, which money did formerly bear the charges of the rich, and is now diſpoſed of for the uſe of the poor: Is it unlawful to give it from our ſelves to others that have more need? Moreover the latter math of Mr. *Elkintons* piece, a thing of greater value is to be imployed to the ſame publick uſe as thoſe Lands formerly.

Object.

Object. *Filthy lucre the end of your Incloſure, in that you aime at your own gain and not at Gods glory: It is alſo alledged that my ſelf and other Miniſters have preached, that mens actions are ſinful, although not materially evil, if the ends be not Gods glory.*

Anſw. Upon what ground it's ſaid filthy lucre is our end I know not, unleſſe all gain be filthy: true, ſuch gain which is either gotten by indirect means, or proſecuted with covetous deſires, the Scripture calleth *filthy lucre*, 1 Tim. 3. 3. Tit. 1. 11. 1 Pet. 5. 2. till one of theſe be proved againſt us, what ſome affirm to be filthy lucre, I ſhall be bold to call honeſt advantage.

Anſw. 2. It's granted that thoſe actions which are in themſelves lawful, may be to the doers ſinful: that which is materially good, may be formally evill, if the perſon be evil: it's only a good tree that can bring forth good fruit; and a good man, that can do a good work, Mat. 7. 17, 18. the beſt works of wicked men are but *ſplendida peccata*, glorious ſins, and that which is *bonum*, good in it ſelf may not be *bene factum*, well done, nor accepted of God. And ſo alſo that which is materially good, may be finally evill, when Gods glory is not made the end as well as Gods will the rule of mens actions: *Jehu* did that which was good, executing Gods Commandement in deſtroying the poſterity of *Ahab* and the Prieſts of *Baal*, 2 King. 10. 11, 25. Theſe actions God approved and rewarded with a temporal bleſſing, *viz.* that his children did ſit upon the throne of Iſrael, unto the fourth generation, verſ. 30. but becauſe *Jehu* did not aim at Gods glory, but his own by-ends and baſe deſigns (his word being the glory of God, 2 King. 10. 16. but his project being his Maſters Kingdome) therefore we finde God threatning what he had commanded, and puniſhing what he had rewarded. Hoſ. 1. 4. *I will viſit the bloud of* Jezreel *upon the houſe of* Jehu: But what can be inferred from all this to prove the Incloſure of *Catthorp* ſinful? rather this very objection from the mouthes of ſuch zealous oppoſers, doth to me

confirm the equity of our cauſe and the lawfulneſſe of our actions. For,

1. Hereby it's granted, that our Incloſure is not ſinful in the matter of it, only they ſuſpect our ends are not right.

2. Have they reaſon to ſuſpect that our ends are not right? or we more reaſon to ſuſpect their cenſures to be raſh? ſeeing they dare uſurp Gods prerogative in ſearching our hearts, before they have detected any evil in our actions. Have we diſcovered that our aims are not at Gods glory, as *Jehu* did? or have not they rather diſcovered themſelves more cenſorious then becometh Chriſtians, by unadviſed judgement? Mat. 7. 1.

3. Why is not Gods glory our end? forſooth becauſe we aim at our own gains and advancement of our eſtates. Are theſe two ends alwaies incompatible? this a meer *Non ſequitur*: may not the bettering of our eſtates be carried on in ſubordination to Gods glory? if God inlarge our talents by his bleſſing upon our lawful endevours, the fault is in our corrupt hearts, and not the Incloſure, if we do not glorifie God ſo much the more. It is a very ſtrange principle and unheard of paradox, that nothing can be done to Gods glory, which tends to mans profit: Do not tradeſmen in following their vocations, aime at their own advantage, do none of them glorifie God thereby? Doth not the husbandman in all his dreſſing the earth, aime at the harveſt? is not gain his end as well as ours? If we do not glorifie God, then all the glory of tillage will be defaced, and the honour of the painfull plowman laid in the duſt. But why do I ſpeak of earthly things, do not the Saints in all their doings and ſufferings for God, aime both at Gods glory and their own advantage, *viz.* the ſalvation of their ſouls? Did not *Moſes* in all his afflictions with the children of God, aime at his own advantage, Heb. 11. 26. He that deſpiſed all the glory that *Pharaohs* Court could afford him; he that (*Pharaohs* Crown being ſet upon his head, when he was yet a childe)

childe) did take it off and ſpurn it with his foot, as *Joſephus* relateth, He that did willingly chooſe the ſinleſſe troubles of oppreſſed *Iſrael*, then the ſinful pleaſures of triumphing Egypt: He by whom God did all thoſe mighty things for his *Iſrael*, without controverſie did glorifie God: yet had an eye alſo to the recompence of reward.

The Incloſure of Catthorp *laudable.*

IT being proved that the Incloſure of *Catthorp* is Lawfull, I proceed in the next place to prove it Laudable, and that Gods glory is the end as well as Gods will the rule of our actions.

This will appear in two particulars:

1. It doth procure good.
2. It doth prevent evil.

Now if theſe two be proved, I doubt not but all ingenuous Chriſtians will acknowledge that it doth glorifie God, and that it is not to be decryed, as of evill report, but rather truly laudable as well as lawfull.

1. That it produceth *bonum utile*, a profitable good, I think none will deny; and that this good is alſo *bonum verum & honeſtum*, conſiſtent with honeſty, I thus prove.

1. Hereby we provide for our families, which is not a ſin but a duty, provided alwaies we do it by lawful means, *He that neglecteth this*, the Apoſtle ſaith, *is worſe then an Infidel*; and ſhall we be accounted Infidels for doing of it? let it be granted, that it is one end to encreaſe our eſtates, and make better proviſion for our families, that both we and ours may be in a better capacity to do God ſervice

and glorifie him the more: all this is our duty; who then can blame us?

2. It nouriſheth wood which is much wanting in their fields or Countreys: wood daily deſtroyed and cut down; if none be planted, how will after ages be provided?

3. All the arable ground in the fallow-field, which is of no profit in the common field, will be gained and profit made of it: in Incloſure the land being once ſoarded, the husbandman needs keep no fallow at all, and yet have more corn upon one acre of new broken up land, then upon three acres in the common field. I lately plowed up three acres of old Incloſure in *Cotteſbatch*, and gained ſixteen quarters of barley, when my Tenant had not ſo much of two yard land and three quarters in *Catthorp* the ſame year: the next year I ſowed the ſame Land with wheat and gained thirty five thraves, whereas my Tenant hath ſeldome had half ſo much winter-corn upon all my Land in *Catthorp:* ſo that if he continue but five acres in tillage, plowing ſometimes one part of the Land, and at other times another part, he will have more white corn then he had before the Incloſure, and the reſt of the arable Land will be gained.

4. The arable Land in the peaſe-field may be improved to greater advantage, the peaſe for the moſt part being all ſpent in ſeed and keeping of horſes, and ſeldome any profit made of them.

5. In Incloſure men may plow their Land with oxen, which (the harveſt being inned) they may feed in the latter months and ſo ſell them, and the next year buy others in their room, which will be far more profitable then horſe, which in the common fields are for the moſt part ſo jaded and tyred with continual labour, that they make little profit of them; or if they deem it more convenient, they may keep good mares whoſe foales will bring them great profit yearly.

6. The advancement of private perſons will be the advantage of the publick: if Merchants do buy an advan-

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tagious commodity,, hath not the Common-wealth an advantage thereby, as well as themſelves? if men by good husbandry, trenching, manuring their Land, &c. do better their Land, is not the Common-wealth inriched thereby? ſo whatſoever benefit we make to our ſelves, tends to the publick good.

Secondly, As Good is procured, ſo Evil is hereby prevented: two ſorts of evils, *malum peccati, & malum pœnæ*, evil of crime, and evil of pain; evil of ſin, and evil of ſorrow; evil of mens doings and ſufferings, mans iniquity and miſery are both prevented by a regulated incloſure.

Evils of ſin are,

1. Strife and contention, litigious quarrels and ſuits of Law, which are daily occaſioned by mens treſpaſſes againſt each other in the open fields, for want of a mound to keep their cattell within their own bounds. Let it ſeriouſly be conſidered, how many brawling contentions are brought before the Judges every Aſſizes, by the inhabitants of the common fields; and how few of the like nature by the inhabitants of incloſures, and it will ſet a ſeal to this truth.

2. Falling out of herdſmen, which produceth fighting, battings, and too often murthers.

3. Many wilful oppreſſions, men commonly ſtealing their neighbours corn and graſſe that lyeth next them, and turning their cattell looſe on purpoſe, when they pretend they break their tedders: now although wicked men will do this in any place, yet they have not ſuch opportunity to commit ſuch rapines, ſo ſecretly without diſcovery in Incloſures as in common fields; the very occaſions of ſin are dangerous, take away the occaſion and the ſin will ceaſe. It's a fair booty that makes many a thief, which poſſibly would have lived honeſtly but for the occaſion. Opportunity one calleth an woer, which none but heaven can conquer; occaſion and a corrupt heart being

like to two inordinate lovers which ſeldome meet together but they ſin together, if we keep them aſunder the harm is prevented.

2. Evils of ſorrow, the miſery of man and beaſt hereby prevented.

1. Common experience teacheth that it preventeth the rotting of ſheep, there being uſually five rots in the Common fields for one in Incloſure, the poor husbandman loſing as much in the Rot one year, as he hath gained in ſeven years before.

2. The hedges preſerve the corn and graſſe from ſpoil by travellers; who know no highwaies in the common fields, eſpecially by herds of cattell, which by reaſon of the extreme narrowneſſe of the Common, do much harm upon thoſe Lands which butt upon the paſture, notwithſtanding the keepers do their uttermoſt to prevent it

3. It prevents that diſorderly and irrationall manner of feeding of cattel, and driving them by flocks from place to place, to the great prejudice of the Land and graſſe, the cattell ſtaining and ſpoiling as much with their feet, as they eat with their mouthes; as alſo the annoyance and diſturbance of the cattell by ſuch diſorderly driving. Me thinks even pity to the poor beaſt, ſhould invite men to ſever their paſture from their arable land, that ſo they may feed and drink when they deſire it without diſturbance. But many are ſo wilful that they will not change any of their old cuſtomes, although they can give no more reaſon for it, then the ſavage *Iriſh* for their drawing their plowes by the horſe tails without harneſſe.

4. It preventeth that inſufferable wrong both to man and beaſt, in keeping more cattell then the fields can bear, which impoveriſheth man, and pineth the beaſt: True, it's granted fewer cattell are kept in improved grounds, but one cow or ſheep will yeeld as much profit as three in the common fields.

5. It

5. It preventeth the intolerable toyle and unneceſſary charge of the husbandman;

1. In tilling his Land; it requiring three or four tilths in the common field, without which it will bear no corn, whereas in Incloſure farre leſſe Land will yeeld more corn with one tilth. In the common fields the arable Land turns the husbandman to little profit, his great pains and coſt conſidered, which I conceive is the reaſon of that maxime of the husbandman, That he that gives more Rent for his Land then the Hay and Commons are worth, hath but a hard bargain: his labour and charge in dreſſing ſeeds and inning, amounting to near as much as his Crop of grain is worth.

2. In gathering his Corn and Hay together, ſpecially Hay, which lyeth in ſo many little parcels, in bulks and hades, and at ſuch a diſtance, that it coſts near as much in gathering as it is worth.

6. It preventeth the oppreſſion of the poor husbandman, which is not able to ſtore his own Commons, which the rich man devoureth with his cattell, and ſo puts the poor mans profit into his own purſe.

Object. *It is not Laudable although Lawful, becauſe three Miniſters having a hand in it, others will be incouraged to incloſe other Towns unlawfully.*

Anſw. If any plead our example, I hope they will alſo follow it in all circumſtances wherewith it is clothed, and then their incloſures will be lawfull as well as ours; if otherwiſe, they have no reaſon to plead our example, but rather our good example will condemn their ſinful Incloſure.'

Object. *It is at leaſt the appearance of evil, and Chriſtians, much more Miniſters muſt avoid not only evil, but the appearance of it,* 2 Theſſ. 5. 22.

Anſw 1. That the appearance of evil is prohibited, is leſt Chriſtians ſhould fall into evil, which they think good, through miſtake; ſome ſins are palpable, which we may feel; ſome viſible, which we may ſee; others

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of a finer thread, it's difficult to diſcern them; ſome ſins are open, and others are much diſguiſed: upon this account Gods people ought to watch, leſt they ruſh upon theſe diſguiſed ſins, but let our Incloſure be unbowelled and unmasked, and no evil appeareth in it.

Anſw. 2. I grant it a duty not only to provide for conſcience by ſhunning evil, but for fame by avoiding the appearance of it; the jewel of a good name muſt be provided for, Phil. 4. 8. the credit of the Goſpel depends upon thoſe that profeſſe it, much more thoſe that preach it: becauſe through their ſides the Goſpels glory is much wounded, therefore Chriſtians muſt avoid not only * *Malas res ſed malas pariter ſpecies*, not only evil things but the ſhewes of evil. Such things as are evil in themſelves, and ſuch things as are bruited to be evil in their circumſtances. Thus *Paul* did abſtain from things lawful, rather then offend weak brethren, 1 Cor. 8. 13. He would not eat meat while the world ſtood, rather then offend; ſo in the firſt plantation of the Goſpel he chooſeth manual labour, and requireth not Goſpel maintenance, to avoid the ſuſpicion of being mercenary: but here note, that in avoiding the appearance of evil, three things are conſiderable.

* *Bernard.*

1. Whether the perſons offended be weak or wilful; what *Paul* did, was in compliance with weak Chriſtians, young neophytes, which were not yet informed that thoſe that preach the Goſpel ought to live of the Goſpel: ſhould *Pauls* practiſe be preſſed upon the Miniſters of the Goſpel now, would not all Chriſtians anſwer that this was in the Churches infancy, when weak Chriſtians did not know their duty; but now under the glorious ſhining of the Goſpel of peace, this truth is clearly made known in the word, to every Chriſtian that is not wilful: if therefore Miniſters ſhould now give up their Right, this was not to ſatisfie the weak, but to gratifie the wilful: ſo it being clearly detected and demonſtrated, that our Incloſure of *Catthorp* is a thing lawful and

and good muſt needs profeſſe. I conceive them not weak Chriſtians, but wilful travellers, that call it the appearance of evil.

2. Whether the thing done be a Real appearance of Evil, or only Imaginary.

1. Real, when the fact it ſelf or circumſtances do give ground of ſuſpicion. Or,

2. Imaginary, which is framed and fancied out of prejudice without any colour of reaſon. That our Saviour did heal on the Sabbath day was to the Phariſees an appearance of evil, but fancied by their ignorance rather then afforded by the fact, it being a work of charity, and one part of the duty of the day whereby it is ſanctified.

3. Whether the thing in queſtion be a thing indifferent, or abſolutely good and a part of duty: It's a ruled caſe, That no duty ought to be neglected becauſe it is ſuſpected to be evil; although evil may not be done that good may come, yet good muſt be done although it ſeem evil. We muſt avoid the appearance of evil, but it followes not that we muſt avoid evident and tranſparent good, which our Incloſure is fully proved to be.

Object. *The people are generally offended at it, and cry out againſt all incloſure as oppreſſion, therefore it is at leaſt a thing of evil report, and to be avoided.*

Anſw. All things are not of an evill report in the Scripture ſenſe, which the multitude decry as evil: the beſt things now a daies are worſt ſpoken of by the multitude, the very name of Reformation is as much exploded by the vulgar as Incloſure; thoſe ſacred ordinances of Magiſtracy and Miniſtery, which God hath honoured with his own approbation and ſtamped with his own ſuperſcription, Rom. 13. 1. Heb. 13. 17. are now become offenſive to the levelling multitude: Suppoſe that ſome under the ſpecious pretence of reformation, would bring in deformation; is therefore all reall reformation according to Gods Word to be rejected? Suppoſe

ſome Magiſtrates and Miniſters have miſcarried and done amiſſe, muſt therefore theſe Ordinances of God be laid aſide? God forbid; theſe miſcarriages were *vitia perſonarum non rei*, the faults of the men, not the office: Let it be granted that ſome Incloſers have deſtroyed Towns and oppreſſed the poor, and thereby have raiſed an evil report upon Incloſures in general, muſt we therefore lay aſide all our hopes of reformation of the common field confuſion by bringing them into the diſcipline of a regulated Incloſure? A hedge in the field is as neceſſary in its kinde, as government in the Church or Common-wealth. When God threatens to lay waſte his vineyard, the Church and Common-wealth of Iſrael, it's ſaid, *I will take away the hedge thereof*, Iſa. 5. 6. *viz.* Magiſtracy and Miniſtry, thoſe props and pillars of the Church and State, which are here compared to a hedge incloſing the vineyard or field; as alſo Gods Church is called a *Garden incloſed*, Cant. 4. 12. Had God been ſuch an enemy to hedges as ſome pretend, the Holy Ghoſt would not have made uſe of this metaphor, to ſignifie thoſe his glorious Ordinances: if God in judgement removed the hedges of Iſrael, I hope it will be a mercy and not a judgement, to enjoy the benefit of hedges in *Catthorp*, whatſoever the multitude ſay to the contrary? This is our comfort, God muſt judge us, not the multitude; if we have the approbation of God, we care not much for the applauſe of men: our betters before us did paſſe through an ill report as well as good, 2 Cor. 6. 8. It is a ſecond confort, that thoſe reall commodities and conveniences, which we and ours hope to enjoy by this Incloſure, will do us more good than all the vanity of popular applauſe: that maxime, *vox populi, vox Dei*, to be underſtood, *vox populi Dei*, the voice of the people, the voyce of God (that is) the voice of Gods people, is the voice of God, not *aura popularis*, that airy blaſt of the vulgar breath, which turns with every winde, and is for the moſt part as unconſtant as it is groundleſſe.

Anſw. 2.

Anſw. 2. I deſire in all things ſo to demean my ſelf, as to give no juſt offence to th Jew nor Gentile, nor to the Church of Chriſt, to thoſe that are within, nor to thoſe that are without; but there are ſcandals taken which are not given; if any take offence without cauſe, the ſcandall will lie at their own homes and not at ours. I meet with four ſorts of men offended at Incloſure, whom I intreat not to be angry if by vindication of our ſelves, I ſet the ſaddle on the right horſe, and lay the baſtard of ſcandall at the door of the right owners.

1. The firſt and moſt that are offended at Incloſure, are the ruder ſort of people; which to ſpeak truly, have moſt reaſon: Why? *Vivitur ex rapto:* they live upon rapine and ſpoil of others, and ſeldome keep their cattell within their own bounds, but daily make a prey upon their neighbours corn and graſſe: ſtoln waters are ſweet to theſe pretended upright men, whoſe conſciences cannot bear the burthen of Incloſure, yet make no conſcience when they can do it without diſcovery to overſtore their Commons, and plow up their neighbours Land, &c. There is a profane and levelling ſpirit now abroad in the world that cry out againſt government, and ſpeak evil of dignities; What would they have! forſooth liberty of conſcience: form what? from Magiſtracy and Miniſtry; to what? to live as the liſt and ſin *cum privilegio*; the golden reins of diſcipline pleaſe not, this yoke they cannot bear, but caſt off this, and then they may ſwear, and lie, and rob, and rifle, and ſwill, and ſwagger, riot and revell in a ſhoreleſſe exceſſe, and ſet ſin on horſeback to ride in triumph without controll whither it liſteth. True, liberty of conſcience a precious Jewell, but this a liberty from ſin, not a liberty to ſin. The very ſame ſpirit of diſorder in the very ſame perſons, and upon the ſame grounds doth decry Incloſure, becauſe it would put a bridle upon

their licencious luſts: if ſuch as theſe are offended at our Incloſure, is it a thing of evill report in us to prevent their diſorders, and enormous ſins?

2. A ſecond ſort of men that are offended at our Incloſure, are ſome ſelf-ended Graziers, which have much in their mouthes that woe pronounced by the Prophet *Iſaiah* againſt ſuch as lay land to land; which I muſt needs retort upon themſelves, becauſe they make nothing of taking Lands over poor mens heads, and are never contented till they have got into their hands as much Land as would maintain ten Families, yet they exclaim againſt Incloſure, why? Becauſe a general Incloſure and diviſion between the arable and paſture Land, would ſpoyle their trades, in that husbandmen would keep as good Cattel as themſelves, ſo that they could not Monopolize all the fat Beef and Mutton to themſelves, as now they do: I hope it is not of evill report to croſſe the avarice and fruſtrate the expectation of ſuch ſelf-ended and ſelf-condemned perſons, who live upon Incloſure themſelves, and yet would have none incloſe but themſelves.

4. A fourth ſort offended are ſome truly godly, and you will ſay, Dare you offend them?

Anſw. For my own part, I had rather not only that *Catthorp* ſhould never be Incloſed, but that my Land there had never been enjoyed by me, then that I ſhould juſtly offend the leaſt of Gods little ones, but I am very ſorry that theſe ſhould take offence where none is given: what ſhould I do in this caſe? the godly are divided in judgement about this point, ſome for it, others againſt it, I muſt neceſſarily offend one party. Which ſhould I chooſe?

1. Thoſe that are for it, might juſtly have challenged me, if I had denied my conſent to that which (my conſcience bearing me witneſſe that I lye not) I am fully perſwaded is not only lawfull but neceſſary at leaſt

ad bene eſſe, to the well being of the Common-wealth; hereby I ſhould have hindred others, and ſuch as I hope are godly, from the lawfull improvement of their own eſtate, of which I could render no reaſon, but that I would not offend thoſe godly, which are of a different perſwaſion from them and my ſelf alſo; would not my refuſal, *rebus ſic ſtantibus*, have given more juſt cauſe of offence to them, then my conſent hath given to others? Let moderate men judge.

2. What is it that offendeth the brethren of another judgement?

1. Is it our exchange of lands with each other? that hath been done many times in common fields, and no ſuch offence taken at it by the perſons now offended.

2. Is it a making a hedge about our Lands? this alſo ordinary in the common fields: if it be lawfull to make a hedge between the bounds of Town and Town, why not alſo between the limits of neighbour and neighbour?

3. I ſuppoſe they take offence, becauſe they fear depopulation, oppreſſion, &c.

Anſw. They fear, but prove it not, I have already proved the contrary: whether their groundleſſe fear and unjuſt clamours, or our regular actions are moſt juſtly offenſive, let moderate men judge between us and them.

4. Are not many places in *England*, *Eſſex*, *Hereford*, *Devonſhire*, *Shropſhire*, *Worceſter*, wholly incloſed, and yet no ſuch effects follow? Are any of the godly in thoſe parts offended at it? why then are any offended at *Leiceſterſhire*? is the ſame action lawful in one place, and yet ſinful in another? by what law? ſure I am, thoſe that write moſt vehemently againſt Incloſure, have granted theſe Incloſures lawfull, as Mr. *Hallhead* in his Book entituled, *Incloſure thrown open*,

in anſwering this objection concerning other parts of *England*, hath theſe words. I would not be miſtaken, I mean only depopulating Incloſure, &c. Yea the moſt ſtrenuous oppoſers of Incloſure in generall, and our Incloſure in particular, have acknowledged, that if all places were incloſed, no ſuch effects would follow: if it be lawfull to incloſe all, then by an argument, *a majore ad minus*, from the greater to the leſſe, it's lawfull to incloſe ſome: Would they not be offended, if all *Leiceſterſhire* and the Counties adjacent were Incloſed: why then are they offended at the Incloſure of our ſmall village of *Catthorp?*

5. I am informed by ſuch as have travelled into other Nations, that there is no Land that lyeth in that confuſed manner, by ſmall parcels, roods and half acres, as it doth in our parts of *England*, even in *Ireland* and *Scotland*, every man hath his Land lying together: are theſe parts of *England* wiſer then all the Chriſtian world beſides? are they all in the dark? doe they live in daily ſin? or rather doe not we need a reformation by a regulated Incloſure?

6. The Lands of the Iſraelites and other Lands mentioned in holy Writ, were not divided into ſmall parcels as are our common fields, Gen. 23. 9. The field which *Abraham* bought of *Ephron* the *Hittite*, did belong to *Ephron* alone, we read of no fellow Commoners that joyned in the ſale of it: It coſt *Abraham* four hundred ſhekels of ſilver, verſ. 16. how much a ſhekel was the learned agree not: *Junius* ſaith the Hebrew Shekels was two ſhilling, four pence, others five groats: the difference may ariſe from the difference between the common ſhekel, and the Shekel of the Sanctuary: the common ſhekel ſome ſay was but half ſo much: the moſt probable opinion is, that a Shekel did weigh half an ounce of ſilver, which in our money

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is two ſhillings ſix pence; Doctor *Willet* is of this perſwaſion; his ground he hath from *Arias Montanus*, who relates that one Rabbi *Moſes* travelling from *Spain* to *Paleſtina*, ſaw a piece of ſilver with this inſcription, *SHEKEL ISRAEL*, and the pot of Manna on the one ſide, and holy *Jeruſalem* with the Rod of *Aaron* bloſſoming on the other ſide, in the ancient Samaritan character, (which without doubt was the true Hebrew character, that now uſed being the Chaldee, which the *Iſraelites* firſt uſed after their return from *Babylon*, to diſtinguiſh themſelves from *Samaritans*). This the ſaid Rabbi weighed, and it came to half an ounce: he ſaw alſo a leſſer piece with the ſame Characters, ſuppoſed to be the half ſhekel mentioned in Scripture: *Beza* alſo had a piece of the ſame coyne, which was given him by his friend *Ambroſius Blanzerus*, the expreſſe image whereof, he doth graphically delineate, *Major. Annot.* Mat. 17. 24. Now four hundred ſhekels at this rate, would amount to fifty pound of our Engliſh money; or if the common ſhekel was but half ſo much, yet it was a very large ſumme in *Abrahams* daies, and therefore probable it was a very large field: yea this field was incloſed too, verſ. 17. He bought alſo the trees in the borders rouud about. *Willet* on Exod. 30. 13.

And ſo alſo it was in *Egypt*, every man had his field peculiar, Gen. 47. 20. in the time of famine, every man ſold his field to *Pharaoh* for bread, the Land then lay not in little parcels but in large fields.

When the *Iſraelites* were ſetled in the promiſed Land, every man had his own field, *Exod.* 22. 5. if any mans beaſt did hurt anothers field, he was to make reſtitution out of the beſt of his own field. So the *Iſraelites* were prohibited to covet their neighbours field, Deut. 5. 21. Again it was a cuſtome for

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ſome in *Iſrael* to dedicate their fields to God for pious uſes, Levit. 17. 18, 19. Surely they did not dedicate that which was not their own. *Achſah Othniels* wife, *Calebs* daughter, did beg of her Father a field, Joſhua 15. 18. which ſhee would not have done, if it had not been *Calebs* own to give: he had no fellow commoners to obſtruct his bounty. *Ruth* gleaned in the field of *Boaz*, Ruth 2. 3. Her hap was to light on a part of the field belonging to *Boaz*, not as ſome affirm, that *Boaz* had only a part of the field, or that part only on which ſhe gleaned, but that ſhe gleaned on a part of that field which did wholly belong to *Boaz:* no interpreters or tranſlators, judge that part of the field only to belong to *Boaz*. *Junius* and *Trem.* render it, *accidit ea caſu poſſeſſio agri pertinentis ad Boazum.* The poſſeſſion of the field belonging to *Boaz*, hapned to her by chance, the vulgar tranſlation attributed to *Hierome*: *accidit ut ille ager dominum habebat nomine Boaz.* It hapned that that field had one called *Boaz* for its owner: I confeſſe this is rather an Interpretation then a tranſlation, the Hebrew verbatim being tranſlated, *Et accidit caſus ejus portio agri ad Boazum:* Her chance hapned to be part of the field belonging to *Boaz*: but all agree, and none deny that the whole field was his, hence verſ. 22. *Naom* chargeth *Ruth* that the maidens of *Boaz* ſee her not in any other field, not any other part of the field. The ſame *Boaz* when he marryed *Ruth*, bought the field of *Naomi*, Ruth 4. 5. When the Philiſtines ſent back the Ark of the Lord, the cart was brought into the field of *Joſua* the *Bethſhemite*; the other inhabitants of *Bethſhemeſh* had its like other fields, but this field belonge to *Joſhua* only, 1 Sam. 6. 14, 18. Again, *Abſalon* cauſed his ſervants to ſet on fire *Joabs* field of corn, 2 Sam. 14. 30, 31. And *Jeremiah* bought the field of *Hanameel* his uncles ſon, Jer. 32. 9. By all which it plainly appears

pears that theſe fields lay not in common; but every particular field had its peculiar propriator or owner. When the Scripture mentioneth Land belonging to Towns, it ſpeaks in the plural number, as *Lachiſh* and the fields thereof, Neh. 11. 30. but when any particular mans field, in the ſingular, *Joſuas* field, *Joabs* field, &c. And it's probable that ſome of theſe fields were incloſed, hence the Kings workmen are ſaid to dwell among plants and hedges, 1 Chron. 4. 23. Now if this be ſo, do we give juſt offence to our brethren by laying our Land after the platform of the Lands of Gods own people, whichwere ſo divided by Gods own appointment? or do not rather our brethren take offence when none on our part is given?

Laſtly, I have heard that our Lands in *England* were never divided into ſuch ſmall parcels till the daies of K. *William* the Conqueror, who fearing the people did diſaffect him, out of State policy commanded the Lands to be ſo divided, that the people being buſied about diviſion of their Lands, might have no leiſure to diſturb his Government: if this be ſo, it's no juſt offence to reſtore our Lands to their priſtine order.

Thus having I hope fully proved what I at firſt promiſed, *viz.* that our Incloſure of *Catthorp* is both lawfull and laudable, I conclude with this ſerious profeſſion, that if any in the ſpirit of love and meekneſſe, by ſoft words and ſound reaſons, ſhall evince our Incloſure to be ſinful, I ſhall as publickly acknowledge it as I have openly defended our action. Obſtinacy in any thing I judge Idolatry, the covetous man makes his mammon' his god, and the hæretick his opiuion, in that *Narciſſus* like he is in love with his own ſhadow, and the chimæra of his own brain: for my part it's my deſire, *herbam dare veritati*, (when ever error appeareth to be an error) to ſit down conquered, and give truth

the victory: this I beſt reliſh in others, and by Gods grace will endevour to practiſe my ſelf. It can be no diſgrace to be overcome by truth, it's no part of levity nor inconſtancy, to change falſhood for truth, and upon ſight of error to change both opinion and practiſe: and with holy *Auguſtine* ingenuouſly retract what hath been ſaid or done amiſſe, ſo God ſhall have the glory, and our ſouls the comfort.

But on the other hand, if any ſhall perſevere in their groundleſſe reproaches of us: *magna & ſuſquipedalia verba ſuſq; deq; habeo.* Loſty long footed words, or to uſe the Apoſtles expreſſion, Jude 16. Great ſwelling words of vanity, which have no more weight than a feather, I care not much for. Theſe may hurt themſelves but cannot hurt me, who am reſolved to anſwer all ſuch opprobrious language, as once *Tacitus* did anſwer railing *Metullus*. *Tu didiciſti male dicere, Ego didici maledicta contemnere*: thou haſt learned to revile, I have learned to ſlight thy revilings.

FINIS.

MVSEVM BRITAN NICVM